

lot my Congressional District—a District larger than the State of Florida. Through it all, Dan has been a model of integrity, hard work and professionalism. That service and leadership will be very difficult to replace.

As Dan's accomplished career with the federal government winds down, Mr. Speaker, I wanted to take this opportunity to thank him for his service to our country. I know that his wife Linda, his daughter Kristi, and his son Josh couldn't possibly be prouder of him. That, Mr. Speaker, is a sentiment shared by Dan's friends, colleagues and associates, as well as the United States Congress.

Dan, congratulations on a job well done and best wishes for continued success and happiness during your well deserved retirement!

IN RECOGNITION OF ALICE WATERS BERKELEY PUBLIC EDUCATION FOUNDATION'S 15TH ANNUAL SPRING LUNCHEON

**HON. BARBARA LEE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 10, 2001*

Ms. LEE. Mr. Speaker, I rise today in Celebration of a Community Treasure, Miss Alice Waters, chef and owner of Chez Panisse restaurant in Berkeley, California. I would like to express my sincere appreciation for her leadership in educating the public about the necessity to incorporate healthy, sustainable foods into their daily lives, and her active contributions to the schools, children and community of Berkeley.

Alice Waters is an internationally recognized and respected chef, author, activist, and humanitarian. She has brought about a wealth of positive changes to her community since she opened Chez Panisse in Berkeley thirty years ago. The philosophy behind the restaurant's menu—only preparing foods that are “fresh, local, seasonal”—has had a major influence on chefs and restaurants throughout the world and has helped to “redefine the American diet.” Alice Waters has worked closely with local farmers and food suppliers who share her belief that food tastes the best and is the best nutritionally when it is grown organically and harvested using environmentally responsible methods. In this respect, Miss Waters is a pioneer in the sustainable agriculture movement that has recently gained visibility now that we are in the age of genetically-engineered foods.

Ongoing advocacy for farmer's markets and sustainable agriculture has led Miss Waters and Chez Panisse to support and create programs that will educate others through hands-on growing and cooking experience. One such program was the Garden Project, which taught organic gardening skills to former San Francisco County Jail inmates. This program transformed and enriched their lives.

Most of all we want to recognize and thank Alice Waters for the time and effort she has given to Berkeley children. The idea of the Edible Schoolyard came to Miss Waters after she noticed the worsening conditions at neighboring Martin Luther King Junior High School. She presented her ideas for an edible garden at the school in 1995. The program has been integrated into the academic curriculum and the school lunch program. For years she

worked with the school staff, community members, and outside supporters to make the garden happen. Today the garden is famous, as is the refurbished kitchen where students cook and eat its bounty together. Principal Smith credits the Edible Schoolyard with helping “change the culture of the school.”

Less well known is the time Miss Waters put in as one of the most active members of the Measure A Site Planning committee at Martin Luther King Junior High School. For two years she worked with parents, neighbors, faculty, and architects on plans to rebuild the school with bond funds allocated by voters in 1992. Miss Waters' insistence that MLK, Jr. High School should strive to be rebuilt as a welcoming, appealing center of learning and community pride inspired us all.

In 1996 she created The Chez Panisse Foundation to help underwrite these exemplary cultural and educational programs.

I thank Alice for dedicating her time and insight for many years and for providing the means for financial support for many important programs. Alice has planted a seed in a garden that has grown into a lush landscape of sustenance from which we all learn and benefit.

TRIBUTE TO MR. JAMES QUINLAN

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 10, 2001*

Mr. GILMAN. Mr. Speaker, I am pleased to rise today in recognition of Mr. James Quinlan, a resident of my 20th Congressional District, from Johnson, New York who is being inducted into the National Teachers Hall of Fame for the year 2001.

For the past 24 years, Mr. Quinlan has taught industrial arts at the Vernon Township High School in Vernon, New Jersey.

As a teacher of vocational education, Mr. Quinlan brings a new level to his students beyond the typical stereotype associated with this field of education.

James Quinlan has stated, “yes, of course they're using their hands, but they're working with their minds.”

Mr. Quinlan has received numerous awards and honors in recognition of his outstanding contribution to education, including: The 1999–2000 Vernon Township and the Sussex County Teacher of the Year, the 1999 Fulbright Memorial Fund Scholar from the Japan-U.S. Educational Commission, and the 1997 National Foundation for the Humanities Fellow.

In addition to his excellence in the classroom, Mr. Quinlan devotes time to his students outside of school. He is a facilitator for project Quest, an adventure-based counseling program for students in need of a personal growth experience. Furthermore, to help meet the challenges of teaching neurologically impaired students, Mr. Quinlan created the Roaring Lion Chair Company. This enterprise places emphasis on developing marketable work skills and attitudes for students with special needs.

Students and colleagues collectively recognize James Quinlan's ability to help students build their individual strengths and skills and understand the world of opportunities surrounding them. Mr. Quinlan respects his stu-

dents and is willing to put forth the extra effort to help them discover more about themselves and their potential.

Accordingly, Mr. Speaker, I invite our colleagues to join in honoring the achievements of teacher James Quinlan and the other four notable inductees into the National Teachers Hall of Fame.

TRIBUTE TO THE VIETNAM VETERANS MEMORIAL

**HON. ROBERT A. BORSKI**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 10, 2001*

Mr. BORSKI. Mr. Speaker, I rise today in honor of the Vietnam Veterans Memorial “The Moving Wall” that will be placed on exhibit for public viewing at Father Judge High School, in the Northeast section of the Third Congressional District in Philadelphia.

The Vietnam War, which began in early 1957 and ended with the surrender of the South Vietnamese government on April 30, 1975, took the lives of many United States servicemen. Six hundred and thirty of these men came from Philadelphia. Of this total, twenty-seven graduated from Father Judge High School, more than any other private or parochial school in the nation.

“The Moving Wall” was created in October 1984, and first placed on display in Tyler, Texas. Since that time, “The Moving Wall” has traveled to over eight hundred cities honoring America's military men and women who lost their lives during this heartrending period in our country's history.

As of June of last year, there are 58,219 names inscribed on the memorial, and I rise today to recognize the twenty-seven men who courageously gave their lives serving their country and whose names are inscribed on “The Moving Wall”.

Mr. Speaker, these men and the many other men and women involved in the Vietnam War should be commended for answering the call of duty and serving in the United States Armed Services. I am delighted that Father Judge High School was selected as the area host for “The Moving Wall”, and the Father Judge Alumni Association should be commended for their dedication in honoring these men and their efforts in bringing such a distinct honor to the city of Philadelphia.

FREEDOM FOR POLITICAL PRISONERS IN INDIA

**HON. CYNTHIA A. MCKINNEY**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 10, 2001*

Ms. MCKINNEY. Mr. Speaker, I was proud to be one of 19 signers of a letter sent last month to President Bush urging him to work to get political prisoners in India freed. We are Republicans and Democrats from across the political spectrum, but we understand that democracies don't hold political prisoners and countries that do are not friendly to democracy.

It is interesting that on the day after we sent our letter, a well-known Sikh human-rights organization called the Movement Against State



Repression (MASR) issued a report exposing the continuing holding of political prisoners in India and the repressive laws under which they have been held, such as the very repressive "Terrorist and Disruptive Activities Act" (TADA), which expired in 1995. Despite this, many prisoners are still being held under TADA. According to the report, in many cases, the police would file TADA cases against the same individual in different states "to make it impossible for them to muster evidence in their favor." It was also common practice for police to re-arrest TADA prisoners who had been released, often without filing new charges.

MASR reports that the Indian government itself admitted in 1993 to 52,258 persons, detained under TADA. Of those, according to the report, "14,457 were in Punjab and 14,094 in Gujarat, a relatively peaceful state. Obviously there were a number of Sikh TADA prisoners held in Gujarat jails." Gujarat was only one state that the police would use to register secondary TADA cases against Sikhs. They would also register cases in Rajasthan, Madhya Pradesh, Uttar Pradesh, Haryana, and Delhi, among others.

"In November 1994," the report states, "42 employees of the Pilibhit district jail and PAC were found guilty of clubbing to death 6 Sikh prisoners and seriously wounding 22 others. They were TADA prisoners. Uttar Pradesh later admitted the presence of around 5000 Sikh TADA prisoners," the Movement Against State Repression wrote, "Another press report in 1993 mentioned beating of striking prisoners held in jail at Bharatpur, Rajasthan. Nearly 500 of these prisoners belonged to Punjab and were held under TADA." It was also in November 1994 that the Indian newspaper *Hitavada* reported that the Indian government paid the late Governor of Punjab, Surendra Nath, \$1.5 billion to foment covert state-sponsored terrorist activity in Punjab and Kashmir.

According to the report, the Punjab Civil Magistracy wrote a memorandum to the Governor of Punjab in 1993 in which it said that "if we add up the figures of the last few years the number of innocent persons killed would add up to lakhs [tens of thousands.]" To this date, neither the central government nor the state government has revealed the list of people killed or those detained under TADA. In September 1995, the police kidnapped Jaswant Singh Khalsa, a human-rights activist who exposed the government's policy of picking up innocent Sikhs, torturing them, murdering them, then cremating their bodies, declaring them "unidentified." The Jaijee report says that "thousands of Sikh young men have disappeared since 1984." According to General Narinder Singh, another human-rights leader, "Punjab is a police state."

The Movement Against State Repression is headed by Inderjit Singh Jaijee, a longtime human-rights activist who wrote the book *The Politics of Genocide*, which exposed the fact that the Indian government has killed over a quarter of a million Sikhs in the last 17 years. The government has also killed more than 200,000 Christians in Nagaland, over 70,000 Kashmiri Muslims, and many thousands of other minorities, including the Dalit "untouchables," the dark-skinned aboriginal natives of the subcontinent. Is this the behavior of a democracy?

If India is a democracy, as it claims, why does it need a Movement Against State Repression anyway?

According to Amnesty International, tens of thousands of Sikhs are being held in illegal detention in India without charge or trial. Some of them have been held since 1984. Many Christians, Muslims, and other minorities are also being held.

This is not an acceptable situation, Mr. Speaker. I am a minister's daughter. I understand the importance of religion and the need for religious tolerance. It is time to take action to protect the religious liberty of all the people of South Asia.

There are so many more details of this repression in the report that I do not have time to tell my colleagues about all of them. I would like to submit materials relating to this situation into the RECORD.

#### LIKE AN UNDECLARED EMERGENCY

(By G.S. Grewal)

Militancy in Punjab was not controlled by the extra-judicial killings or by the enforcement of harsh laws like TADA. It was contained, firstly, because the people in Punjab did not support it and secondly, by establishing democratic rule under the determined mass-based leader Sardar Beant Singh who had built a successful bridge between the people and the rulers.

Under the Terrorist and Disruptive Activities (Prevention) Act (TADA), not a single known militant had been convicted in Punjab. During Operation Black Thunder, more than 250 militants hiding in the Golden Temple complex were arrested and the whole scene was viewed by millions of people all over the world on television. They were booked under TADA. Within a few months, they had to be released from jail because of insufficient evidence. The prosecution made the request and the court discharged them. Mr. K.P.S. Gill was confronted with this episode at a Rotary Club (Mid town) meeting and he replied that the investigating agency had become corrupt. When he was asked how and why none of the persons discharged was alive, he preferred to duck the question.

The validity of TADA was challenged in the Supreme Court with the plea of the government in defence of TADA being that under abnormal circumstances, abnormal laws were necessary. This plea was accepted by the Court. The State counsel further argued that an undeclared war was going on with the active provocation of our neighbour. The situation could not be classified as a mere law and order or disturbance of public order. Activities of terrorists were such which could not be controlled by ordinary laws. So TADA had been framed to meet that special situation.

In actual practice, the TADA became notorious more for its abuse than for its legal use. The head of the police department assumed more powers than the Chief Secretary of the state. It became impossible to tame the DGP of that time. Even the Chief Minister time found himself helpless before the DGP who was more feared than respected. This was the era when many innocent people were illegally killed. Some because of suspicion, others because of greed and revenge. The CBI had discovered the dead bodies of thousands of people who were supposed to have been killed in fake encounters by the police.

At the insistence of the Supreme Court, the matter is being debated before the National Human Rights Commission, for the last many years but no decision has yet been taken. The era of terrorism in Punjab had been an era of affluence both for the police

and terrorists alike while the people lived in fear of both. Many cases of kidnapping and extortion took place where the police and militants were to be blamed equally.

Though the police was and is, by and large, a disciplined force, during militancy many of them lost their sense of commitment towards duty and were involved in making a quick buck.

Militancy not only affected the routine life of an average citizen, it also made the administration spineless. While some lawyers were killed, allegedly by the police because they defended militants, some district and session judges were attacked. Threats were issued to some High Court Judges and it was not too difficult to believe that the cause of justice had received a setback.

Since religious places remained the centre of militancy, the sanctity of those places was also damaged. It further facilitated the cause of those who wanted to exploit religion for political powers.

During the Emergency, the government gagged the press with some success. During militancy, the terrorists tried the same with partial success. Now, when there is neither militancy nor emergency the government wants to control the press by making a law which would compel the Press to disclose their sources, which they gather through their own resourcefulness. Nowhere in the free world are such conditions imposed on the Press.

When the Press is not free, even other institutions become weak. During the Emergency, fundamental rights were suspended and it created fear and havoc among those who wanted to be bold and fearless. Even the Judiciary ceased to protect people and started justifying the excesses of the Executive. In the case of ADM, Jabalpur, the Supreme Court held that even if a person was to be killed illegally by the state executive with mala fide intentions, he had no right of life and could not seek protection from the courts. When the Emergency ended, many judges, who had constituted the bench, admitted that the judgement was wrong and the Janata Party Government had to pass the 44th Amendment to the Constitution to nullify the affect of the judgment.

If the proposed amendment in the new TADA was incorporated into the law of the land, it would operate as an undeclared emergency with its side-effects. In one sense, undeclared war is more dangerous than the declared one because it lasts much longer. Similarly, an undeclared emergency with lame freedom of the press would convert our enlightened, democratic free society to an ignorant and controlled system that the country could and should never accept.

JUNE 3, 1997.

To: The Prime Minister of India, Mr. I.K. GUJRAL

DEAR PRIME MINISTER: The Movement Against State Repression is heartened to read Mr. K.P.S. Gill's open letter to you, published in *The Tribune* of June 1, 1997, and supports his demand for equality before the law for all persons, for prosecution of all persons, including police, as per the due process of law, and for a review of judicial, and administrative functioning in Punjab over the past 15 years.

Mr. Gill admits that security forces committed excesses during these years and pleads—not for immunity—but that they may be judged leniently in view of the circumstances. MASR has always advocated that justice be tempered by mercy. In the case of officers of the state accused of serious crimes it must be remembered that not only is the crime per se at issue, but there is an issue of public responsibility. All officers



of the state, whether administrative, police or military, take an oath at the time of joining service to uphold the Constitution. This is a most sacred duty, making it all the more important for them to not only observe the law in letter and spirit in all their actions . . . but to be seen to observe the law. When one sworn to uphold the law himself disregards it, the common citizen is all the more encouraged to hold the law in contempt.

The citizen does not exist for the state, rather the state exists for the citizen . . . to provide protection to life and property, to provide opportunities for potential of every citizen may be realised and brought to productive use. This is the *raison d'être* of the state. When officials of the state act in a way that betrays disrespect for human life they act against the very purpose of the state.

Mr. Gill asks for a special fund to be raised to pay for best legal defense of policemen brought to trial for excesses. There is reason to believe that the Punjab Police already gives policemen money to hire the best lawyers from its own secret fund. Is Mr. Gill in fact asking that this practice be brought into the open? In any case, the Constitution already empowers the courts to appoint lawyers at state expense for those who cannot afford them. However, "best lawyers" raises the issue of equality. If the state provides lawyers of great ability to the defendant while the complainant, having no such assistance, can only afford a weak lawyer, then where is equality before the law?

It may be remembered that the next of kin of the alleged militants suffered not only loss of their relatives but confiscation and destruction of property, with a result that they can ill afford litigation costs and in many cases have to depend on lawyers on "shared compensation" basis. This category of persons need state aid.

Aside from a commission to be set up to examine records of judicial processes, Mr. Gill demands a commission to identify all officers in all branches of the judiciary and administration who were guilty of gross dereliction of duty during this period. Mr. Gill goes on to urge that "these steps demand the active participation of the judiciary and the legislature". MASR appreciates this suggestion but cautions that while such commissions must be respected by the government, at the same time they must be independent and insulated from official pressures; their findings must be placed before the public. A situation in which the judiciary and legislature sits in judgement on themselves must be avoided. The interests of truth and justice demand independent commissions.

MASR points out that the past 15 years saw not only the malfeasance of individuals, it was also a period when institutions were subverted, with some services subjected to the dictation of others. The civil services ceased to control the police, rather the police controlled the civil services, including the state magistracy. Officers of the state medical service were made to give reports dictated by police. Even the office of governor came under Police domination to the extent that two governors were made to leave the state abruptly for demanding accountability from the police.

MASR sympathises with conscientious and upright officers of the Punjab Police who may feel that they have been unjustly maligned on account of the misdeeds of some of their colleagues. We also sympathise with the families of those policemen who have been accused of wrongdoing and treat their suffering at par with that of the families of those killed or disappeared over the past 15 years.

It is certainly a terrible thing to be slandered. The entire Sikh community will

vouch for this, as they have borne some of the most abhorrent epithets—"anti-national", "traitor", "terrorist", "religious fanatic"; the Sikh soldier has smarted under the label "questionable reliability". They have not only had to bear verbal insult, the Sikh community has been subjected to genocide on a terrible scale for the "crime" of demanding more powers for the state.

The Sikhs were made victims of politicians' power games. In "Policing the Police", (Indian Express, August, 1996) Shekhar Gupta asked ". . . who provided K.P.S. Gill and a select band of the most trusted Intelligence Bureau aces suitcases full of unaudited cash to buy militant loyalties, to build a whole army of cats? . . . The Punjab crisis saw five prime ministers as many internal security ministers. Each one knew precisely what was going on. Some routinely boasted of how ruthlessly they were putting rebellion down. Why are they hiding now?"

In his letter, Gill says "the real question is whether a strategy of state terrorism was adopted by the police; and the answer is unequivocally in the negative." Was the strategy adopted at a higher level and simply passed on to the police for implementation? In "Dateline: Tarn Taran" (Pioneer, June 1, 1997) Ajaz Ashraf and Bindu quote Satya Pal Dang as saying: "The clearance for fake encounters could have only been given by political leaders."

Regarding Mr. Gill's apprehensions of "media trial" of accused policemen and hounding of the police in the press, MASR sees little evidence to support these misgivings. The press, both local and national, has given ample space to police versions both during the worst days of turmoil and now. Nearly two full columns of precious space have been spared for Mr. Gill's letter—surely that does not bespeak a biased press. No human rights group has ever had its letter published in full, even if it were a short one.

Mr. Gill accuses the human rights movement of twisting facts. If we have erred in respect of any case we are sorry. Part of the problem is that we must rely on Mr. Gill for much of our information. For instance in his letter he writes: "Even in a case as fully documented as Operation Blackthunder, where the entire action was carried out in full view of the media, not a single conviction was pronounced." But earlier, addressing a Rotary Club (Midtown) meeting, Mr. Gill said: "that some people sympathetic to the militants had infiltrated into the prosecution agency of the police and, therefore, enough evidence could not be collected" and subsequently cases against all the persons accused in Operation Black Thunder had to be withdrawn. Mr. G.S. Grewal, Advocate General has accused Mr. Gill of twisting facts. Grewal says: "Those persons who were arrested during Operation Black Thunder were in fact put on trial. After a few months all were released at the insistence of the prosecution because of lack of evidence. It is another matter that, perhaps, none of them may be alive today. It will be too much to presume that they have died a natural death."

Mr. Gill also has no reason to disparage the human rights movement. Human rights are for all, including Mr. Gill and his policemen. Human rights stands for political and religious freedom, for the legal rights of common citizen of criminal offenses.

Mr. Prime Minister, a previous letter sent to you jointly by MASR, PHRO and PUCL Punjab Chapter, will be in your hands. This letter asked your support for our request to the Punjab Chief Minister Parkash Singh Badal for an independent census of human rights violations, including killings and disappearances during the 1984-1996 period. We had also enclosed the various assessments re-

garding disappearances and killings. We again ask for your help in implementing this census.

With regards,

Yours sincerely,

INDERJIT SINGH JALJEE,

CONVENOR,

*Movement Against State Repression.*

[From the Burning Punjab News, May 9, 2001]

BIHAR—BLAST IN CHURCH, CHRIST STATUE DAMAGED

MUZAFFAPUR.—Cracker explosions by miscreants in a church here has caused partial damage to a statue of Christ sending shock waves among the Christian community in the Bihar town, official sources said. The unidentified miscreants burst three crackers one after another on Saturday evening in St. Francis Church which led to the ripping off of the head of a statue of child Christ seated on the lap of St. Joseph, the sources said. The miscreants also left behind pamphlets which said "Seva Ki Aar Mein Dharmantaran Band Karo (stop religious conversions in the garb of service)," "Isalyon Bharat Choro (Christians leave India)" and "Poore Bharat Ko Hindu Rang Mein Rangna Hai (Hindus should prevail in entire India)." An FIR was lodged at the local police station by Father Julius Lazarus of the church. The top district and police officials remained tight-lipped over the incident, but said the investigation was on. A police contingent had also been posted at the church, they said. When contacted, State Director General of Police RR Prasad in Patna ruled out the possibility of the explosion being triggered by bombs and said the police were looking into the matter. Lazarus said the Christian community was terribly hurt by the incident and described it as "extremely serious." He felt that some religious institution was behind the incident, but refused to name anybody.

#### WTO MEETING

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2001

Mr. BEREUTER. Mr. Speaker, this Member strongly urges his colleagues to read and carefully consider the excellent column of Paul Krugman, a New York Times columnist, which appears in numerous American newspapers.

He has it right in describing the motivation, misguided views, and counterproductive actions of key groups involved in organizing the demonstrations against their perception of globalism at numerous international meetings since the WTO meeting in Seattle.

[From the New York Times, Apr. 24, 2001]

FOES OF GLOBALISM DON'T USE THEIR HEADS  
(By Paul Krugman)

There is an old European saying: Anyone who is not a socialist before he is 30 has no heart; anyone who is still a socialist after he is 30 has no head. Suitably updated, this applies perfectly to the movement against globalization—the movement that made its big splash in Seattle back in 1999 and did its best to disrupt the Summit of the Americas in Quebec City this past weekend.

The facts of globalization are not always pretty. If you buy a product made in a Third World country, it was produced by workers who are paid incredibly little by Western standards and probably work under awful conditions. Anyone who is not bothered by